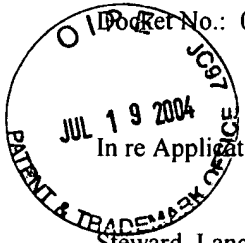


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AF/1645
PATENT ITW



Doc Ref No.: 066872-0017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Steward, Lance E., et al.

Serial No.: 09/942,024

Filed: August 28, 2001

For: FRET PROTEASE ASSAYS FOR
BOTULINUM SEROTYPE A/E TOXINS

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

: Response Under 37 CFR 1.116 - Expedited Procedure
Customer Number: 41552

: Confirmation Number: 7269

: Group Art Unit: 1645

: Examiner: K. Shahnan Shah

Corres. and Mail
BOX AF

CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)

"Express Mail" Mailing Label Number EV 540268108 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated
above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450 on July 19, 2004.

Laurel Bartales
Print Name

[Signature]
Signature

Transmitted herewith is an Amendment in the above-identified application.

- ☒ No additional fee is required.
☒ Applicant is entitled to small entity status under 37 CFR 1.27
☒ Also attached: Formal Drawings

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	23	72	0	\$18.00 =	\$0.00
Independent Claims	1	3	0	\$86.00 =	\$0.00
Multiple claims newly presented					\$0.00
Fee for extension of time					\$0.00
					\$0.00
Total of Above Calculations					\$0.00

- ☐ Please charge my Deposit Account No. 502624 in the amount of \$0.00. An additional copy of this transmittal sheet is submitted herewith.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502624, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

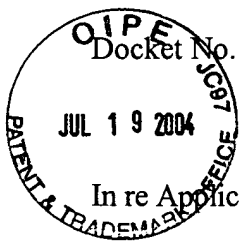
Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

Andrea L. Gashler
Andrea L. Gashler
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San Diego, CA 92122

858.535.9001 ALG:cej
Facsimile: 858.597.1585
Date: July 19, 2004



Docket No.: 066872-0017

PATENT

JUL 19 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Steward, Lance E., et al.

Serial No.: 09/942,024

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: **RESPONSE UNDER 37 CFR 1.116**

: **EXPEDITED PROCEDURE**

: Customer Number: 41552

: Confirmation Number: 7269

: Group Art Unit: 1645

: Examiner: K. Shahn Shah

**For: FRET PROTEASE ASSAYS FOR
BOTULINUM SEROTYPE A/E TOXINS**

CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR § 1.10)

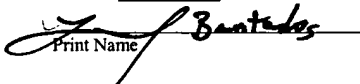
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1450 on July 19, 2004.


Print Name


Signature

RESPONSE TO OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the final Office Action mailed April 22, 2004, entry of the following amendments and consideration of the following remarks are respectfully requested.

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 6 of this paper.